

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of )

Robert L. Lundak )

Serial No. 247,656 )

Filed: March 26, 1981 )

For: HIGH FUSION FREQUENCY )  
FUSIBLE LYMPHOBLASTOID )  
CELL LINE )

Examiner: J. Tarca RECEIVED

Art Unit: 172 SEP 8 1982

OFFICE OF ASSISTANT  
COMMISSIONER FOR PATENTS  
PETITION UNDER 37 CFR 1.53

San Francisco, CA 94105

Commissioner of Patents and Trademarks

Washington, D.C. 20231

Sir:

Applicant by his attorney petitions that the subject application be accorded a filing date of April 2, 1981. The subject application was deposited with the Patent Office on March 26, 1981, followed by deposit of the organisms which are the subject matter of the subject application on April 2, 1981 in accordance with In re Argoudelis as evidenced by the accompanying letter from the ATCC. In view of the above, it is believed that under 37 CFR §1.53, the subject application should be given an effective filing date of April 2, 1981, and the Commissioner is earnestly requested to designate this application as having that filing date.

Respectfully submitted,

TOWNSEND and TOWNSEND

Date Sept 7, 1982By Bertram I. Rowland  
Bertram I. Rowland  
Reg. No. 20, 015BIR/gs  
Enclosure  
1. ATCC letter 4/26/81



# American Type Culture Collection

12301 Parklawn Drive, Rockville, Maryland 20852 USA 301-881-2600 Telex ATCCROVE 908-768

Since 1925

an independent non-profit  
organization incorporated in  
Washington, D.C. and devoted to  
the preservation of reference  
cultures and their distribution to  
the scientific community

## AFFILIATED ORGANIZATIONS:

American Association  
of Immunologists

American Institute  
of Biological Sciences

American Phytopathological  
Society

American Society  
of Biological Chemists

American Society  
for Microbiology

American Society  
of Parasitologists

American Society  
of Zoologists

American Society  
of Medical and Hygiene

Genetics Society  
of America

Infectious Diseases Society  
of America

Mycological Society  
of America

National Research Council-  
Academy of Sciences

Society  
of Protozoologists

Plant Culture Association

The American Type Culture Collection (ATCC) has received your deposit of a culture in connection with the filing of an application for a patent. The following information is provided to fulfill the Patent Office requirements.

Name and Address of Depositor:

Mr. Bertram I. Rowland, Esq.  
Townsend and Townsend  
5 Palo Alto Square  
Palo Alto, California 94304

On behalf of

Dr. Robert L. Lundak and the Regents of  
the University of California, Riverside

Date of Receipt of Cultures by the ATCC: 4-2-81

Scientific Description

Depositor's Reference

ATCC Accession Number

Human lymphoblastoid B-cell line

WI-L2-729 HF<sub>2</sub>

CRL 8062

The ATCC understands that:

1. The deposit of this culture does not grant to ATCC during the effective term of the patent anticipated a license, either expressed or implied, to infringe the patent, and our release of this culture to others does not grant them a license, either expressed or implied, to infringe the patent.
2. If this culture should die or be destroyed during the effective life of the patent it shall be your responsibility to replace it with a living culture of the same organism. It is also your responsibility to supply a sufficient quantity for the period of storage specified below.

The ATCC agrees that in consideration for a one-time service charge, not to distribute this culture or any information relating thereto or to its deposit until such time as a patent has been issued disclosing the above deposit except in accordance with U. S. Patent Office Rule of Practice, Rule 14, or until you authorize us to make this strain available. After a patent is issued and we are so informed the cultures will be made available for distribution to the public. The ATCC agrees to maintain the culture for a period of 20 years from the deposit date. Nonpayment of the service charge within 90 days of the deposit date relieves the ATCC from the above provisions.

American Type Culture Collection

Date: April 26, 1981

By: Bobbie A. Brandon  
(Mrs.) Bobbie A. Brandon, Head  
Professional Services Department

cc: Mr. Roger G. Ditzel  
Patent Administrator

Ms. Kathy Krause  
Townsend and Townsend